

# COLVIN'S WEEKLY REGISTER.

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[VOL. 1.

THE CANDIDATE FOR PRESIDENT  
(continued from page 64.)—It has been frequently urged in conversation, and often implied in print, that Mr. Madison is not so proper a person for President as some other gentlemen, because he is not a military character. This objection has its origin from that clause\* of the constitution of the United States, which declares that “The president shall be commander in chief of the army.”—The futility of the proposition can be easily made apparent, by merely pursuing the same section of that instrument for a very few words further, when we shall find that it is not only declared he shall be “commander in chief of the army,” but also “commander in chief of the navy of the United States :” And the same reasoning that can be adduced to demonstrate that an American president ought to be a *military* character, would go equally to prove that he ought to be a *naval* one likewise. On all hands it will be admitted, I have no doubt, that no man combines at this day tactical knowledge and maritime acquirements, from experience, sufficient to make him eminent in both. The question then is, as the provision of the constitution runs, in which of the two qualifications should the president excel to make him most able to serve his country? In case of foreign war, the first contests will be on the water: This is admitted on all hands; and would seem to imply that a great *seaman* would be quite as serviceable to the nation as a great *soldier*, if not more so. Thus the

argument used to disparage Mr. Madison, may be turned against those who are set up as having superior claims on the score of experience in war. But the objection is altogether an absurd one; for the constitution never intended that a president should either head in person the armies of the nation, or command a fleet. It is a question, however, not unworthy of examination: Those who have tortured it to their own partial purposes, either did not understand it; or fairly begged it.

What is meant in any country by the first magistrate being the commander in chief of the army, is nothing more than that he shall have the direction of the public force; and the necessity for this arises out of the nature of his office, which is *executive*. A military despot commands in person, because the duration of his power depends on his popularity with his army, and he cannot maintain his throne with vigor but by its agency. In a free government (like that of the United States,) this is not the case. The first officer of the administration in the latter is only the effective representative of the people, who are essentially the sovereign. All he has to do, as commander in chief, is to apply the force of the country for the general benefit. Supposing that the president could, consistently with his other duties, head the armies of the nation, what good patriot is there who would wish to see him there, and a favorite with the soldiery? Would there, in such a case, be no danger to the liberties of the people? Remember, that all usurpers have been bred in the field of battle, or have been sup-

\* Article II, sec. 2.

ported in the exercise of illegitimate authority by cannon and the bayonet!

But it never was intended that a president of the U. States should be particularly either a soldier or a sailor. If he understands both naval and military tactics theoretically it is all that is necessary. Whoever will read over carefully the 2nd and 3d sections of the 2nd article of the constitution, will find that the performance of the various duties prescribed to the president is quite as much as any man is equal to, without undertaking the personal command of the army. He has to consult with the officers of the principal departments; to make treaties, in concurrence with the senate; to appoint ambassadors, consuls, judges, and other officers; to communicate with congress when in session, which will generally be the case in time of war; to receive ambassadors and other public ministers. Will any reasonable man pretend to say, that all this can be done in camp, at a remote point of the Union? Or would gentlemen wish to see a president of the U. States receiving and appointing ambassadors, convening congress and recommending measures to them, at the head of a large body of troops? Do they not fear that, like Cromwell, he might march into the Capitol, and order the delegates of the people to "*Seek the Lord elsewhere?*" How inconsistent are those who are blinded by prejudice, or are the victims of a selfish policy! They declare they are friends of freedom; and in the same breath they tell you that the principal merit of a republican ruler is his knowledge of war.

No! may we never have a great military personage at the head of the government. We shall not always find a Washington, in the exhilarating hour of victory. If we have men

of abilities in the departments of war and the navy, and a capable general at the head of the army, that will be enough. Recollect that all our officers are *commissioned by the president*; and reflect on the *danger* of having him personally present with the men of his own appointment, and a disciplined soldiery, ripe for ruin, at his control! Woe to the constitution, in such an awful hour.

While I am on this topic, I will correct an error into which the editor of a New York paper\* has very needlessly run. He declares that "the republican members of the legislature of Virginia, now in session at Richmond, are in a state of political *distraction*." And adds, "when information arrived at Richmond of the Washington nomination of Mr. Madison, the friends of this gentleman in the Virginia legislature called a meeting by advertisement to *echo the nomination*," &c. "in which advertisement the friends of Mr. Monroe were in terms excluded from the meeting." Had the writer of these assertions been a petty party scribbler, I should have taken no notice of them: But when I know the gentleman to be intelligent and reflecting, I must believe it is *something more* than *accident* which induced him to term that "*distraction*," which gives to Mr. Madison 120 votes, and to Mr. Monroe only 57. I had always understood "*distraction*" to mean a state of things completely unsettled, where every one is in an uproar: And I will submit the question to any man of sense, whether nearly three votes to one do not exhibit a tolerably tranquil and determined state of mind? I believe the point is pretty well settled in Vir-

\* See *American Citizen*, Feb. 5.

nia. The alledged "echo" is still more unfortunate: for the meeting at Richmond took place on the 21st of January, and the convention at Washington not until the 23d! If the former could be an "echo" of the latter, old father Time would have been in a very awkward predicament. The charge of excluding the friends of Mr. Monroe, is altogether futile. The friends of Mr. Madison were alone invited to the meeting, in order to prevent "*distraction*;" for the purpose of ascertaining, without commotion or noise, the amount of their numbers. This is a fact almost self-evident, and it will not be seriously disputed.

THE HON. JOHN ROWAN AND FRENCH INFLUENCE.—I have already exposed with seriousness, and ridiculed with laughter, the contemptible charge made against administration on the topic of French Influence. I had almost determined to say no more on the subject, convinced that no sensible man believed it, and that the credulity of dunces was an incurable evil. But a certain extract of a letter has reached me in print, that draws me back to it once more with a strong spirit of indignation. The honorable John Rowan, of Kentucky—Yes Sir, the honorable John Rowan; a member of the House of Representatives of the U. States, has descended from the proper dignity of his station, and become the accuser of administration in the newspapers.

When a delegate in congress so far departs from that decorum which, as a member of one branch of the government he owes to another branch, and voluntarily enters a scribbler of accusatory declamation in the public *gazettes*, he must expect to be dealt with

as other scribblers are. I will not, however, take advantage of the right which his indiscretion conveys; and instead of considering him as the honorable John Rowan, paragraphist in chief for a newspaper, I will view him as the honorable John Rowan, representative in Congress. The following extract of a letter is copied from the "Western World," a paper of which John Wood, of curious and mysterious memory, was once the editor:

*Extract of a letter from the Hon. John Rowan to the Editor, dated*

Washington City, Dec. 23, 1807.

DEAR SIR,

"That the instructions of our minister at London were considered too narrow and restricted to be met by the cabinet of England; that negotiations, of course, terminated ineffectually at that place; and that a minister extraordinary was appointed and dispatched to recommence negotiation on the subject of our grievances at this place—I suppose you have heard. That minister has not yet arrived, although he left England before Mr. Monroe, who has arrived at this place. Thus stood things, when the president on Friday last, by a confidential message, informed this house that France had enforced and was persisting to enforce the decree of Nov. 21st, 1806, and advised an embargo. The house went immediately into conclave, and continued so until yesterday, when they passed a law imposing an embargo. The passage of this law gave rise to much eloquent and animated debate, and considerable diversity of sentiment. The vote was 44 to 82. In the minority was your humble servant. The minority were not less impatient than the majority of British aggressions; but they are unwilling that Napoleon should dictate to them. He has determined that we shall not be neutral.

*He is not yet, thank God, emperor of America. Besides, as the immediate effect of the embargo is to be felt by Britain, they feared that the possible adjustment between England and this country might be thereby defeated: and they wished that whatever measures events might make it necessary to take against England might be American, and not Gallic or Napoleontic, in vindication of the rights and honor of America, and not in promotion of the power and ambition of the French emperor."*

Such is the extract. The commentary will be short; for I speak on the subject with regret, and do not mean to "travel out of the record."

We are told that the instructions of our ministers in England were "narrow and restricted," and that this was the cause of negotiations having "terminated ineffectually." But that the British government, still inclined to peace, "dispatched a minister extraordinary to recommence negotiation on the subject of our grievances at this place." In these expressions we behold the finesse of a lawyer, anxious to make a favorable impression previous to the introduction of a leading argument. The American government is represented as contracted in its policy; and that of G. Britain liberal and noble minded.

"Thus stood things," continues the writer, "when the president on Friday last, by a confidential message, informed this house that France had enforced and was persisting to enforce the decree of Nov. 21st, 1806—and advised an embargo." The conjunction "and" copulates the rigid execution of the French decree with the president's advice, and the embargo is represented as the offspring. The fact is otherwise; and in the face of the nation I accuse the

honorable John Rowan of a misrepresentation of the truth. It is known to himself; it is known to the whole body of congress; it is known to all the republic, that the president's message recommending an embargo was accompanied as well by the British proclamation relative to neutral commerce and seamen as by the information that France intended to enforce her decree. The presidential communication proves the assertion. "The communications now made, (it says) shewing the great and increasing dangers with which our vessels, our seamen, and merchandize, are threatened on the high seas and elsewhere, from the belligerent powers of Europe, and it being of the greatest importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of congress." How can any man mistake this language? The "communications," the "belligerent powers"—all in the plural. And how would "our vessels, our seamen, and merchandize," be in "danger" "on the high seas," from France, when Great Britain commands the ocean? But this reasoning, conclusive as it is, I forego; and appeal at once to the journal of the house of representatives.

After this exposition it would be useless to dwell on the frivolity of the charge of French influence, deduced from such perverted facts. I cannot, however, pass so lightly over the insinuation made against the majority of the house. I beg the reader to mark the expressions. "The minority were not less impatient than the majority, of British aggressions; but they (the minority,) were unwilling that Napoleon should dictate to them." The word "them" is marked by *italic* letters in the printed

copy from which I quote ; and the inference is plain, that if the *minority*, who voted against the embargo, "were unwilling that Napoleon should dictate to *them*," the *majority*, who voted for the act, *were willing to be dictated to* by the French emperor. I cannot conceive a greater insult to men whom I believe, and the people at large believe, to be influenced by motives as pure and patriotic as those of any arrogant pretender whatsoever to exclusive merit.

The tender feelings for "the *possible* adjustment between England and this country," I shall pass by without particular remark. The man who is capable of misrepresentation is capable of hypocrisy. But I call upon the honorable John Rowan to stand forth, and defend the contents of his letter. He owes it to himself, he owes it to his constituents, whom he has attempted to abuse by his erroneous statement, to produce the evidence on which he founds his charge of the prevalence of French influence. If he has the *proofs* I will say he has acquitted himself manfully. If he has not, let him throw himself on the compassion of his fellow-citizens and solicit forgiveness from the insulted majesty of a generous people.

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EMBARGO—(*continued from page 64.*)—Pursuing this subject from my last number, I proceed to quote the reasoning of the writer in the London Morning Post to whom I there alluded : He says—

" It has been asserted that by enforcing a general blockade, we shall benefit the French manufactures to the detriment of our own, in necessitating them to provide every thing for themselves ; but the casuists here forget that manufactures cannot be put in motion without raw materials !

—France it is true may be supplied with silk from Italy, and with wool from Spain, by inland carriage, but that is all ; her soil produces none of the manifold necessaries that are requisite in the manipulation of these, and other articles of the first necessity, they are all imported to her by sea and she can and does obtain them only with our leave and forbearance.

" She cannot get iron, flax, hemp, tallow, &c. from Russia ; nor can she furnish the north of Europe from the coast of the Mediterranean with her wines and brandies by land carriage.

" Ten thousand tons of oil are annually brought to Marseilles from the coasts of Calabria, Sicily and Barbary, for the use of the extensive soap manufactories of that place, who supply not only the interior of France and great part of Europe but also her transatlantic colonies.

" Sulphur and pot ashes are imported from Sicily and the coast of Spain.

" The Levant furnishes abundance of cotton, sheep and goats, wool, copper, nitre, safflower, gums, rice, wax, &c.—Trieste, and other parts of the Adriatic provide steel, lead, quicksilver, linens, hemp, glass ware, &c.

" The coast of Barbary yields wheat, wool, oil, bees wax, &c. and France exports the woollen manufactures of Languedoc, &c. to the Levant.

" This coasting trade within the Mediterranean, in the exchange of useful and indispensable commodities has hitherto been carried on to an unlimited extent, and without molestation, by the imperial, the Ragusan and the Ottoman flags."

" Of still greater importance, how,

ever, to France and her allies, is their extensive and flourishing commerce with the United S. of America, and through that channel with their own colonies; a commerce not only equivalent to all their wants, but being subjected to charges considerably under those attending the British trade, maintains them in a state of active reciprocal intercourse and prosperity. It is this conviction alone that has induced Bonaparte to proclaim and enforce with confidence, his measures of exclusion with regard to Great Britain; for whilst the ports of France and her allies are open to neutrals, experience has demonstrated to him, that they do not want our assistance. This hypothesis is fully corroborated by the rapid and prodigious extension of the American commerce since the commencement of the present war, and (according to the public exposition of their own legislature) by the commercial prosperity of France itself, by no means an empty paradox, as is generally supposed, but a fact well deserving the serious attention of our ministers. Privileges from which the British individual trader is excluded, are enjoyed by the Americans in a lucrative and uncontroled intercourse with China, and all the East India settlements. Through the Americans, the isles of France and Bourbon, and the French West India colonies, are abundantly supplied with food, cloathing, implements of agriculture, &c. who, in return, send their produce, systematically masked and unmolested, for the consumption of the mother country. Thus France foregoes none of her commercial advantages by the war, except that of being her own carrier; but even this disappointment is fully compensated to her in a financial point of view, by the exorbitant

rate of duties she exacts upon all importations in foreign bottoms, the produce of which forms a very conspicuous item in the present revenue of the state.

" The ports of Amsterdam, Rotterdam, Antwerp, Nantz, Bordeaux, Bayonne, Cadiz, Malaga, Alicant, Barcelona, Cette, Marseilles, Genoa, Leghorn, Naples, Aneona, Venice and Trieste, swarm with American shipping, which supply in abundance the various essential commodities of teas, coffee, sugar, pepper, spices, tobacco, rum, flour, rice, hides, gums, indigo, cochineal, and dye stuffs of all descriptions, mahogany, nankeens, piece goods, handkerchiefs, &c. many of them direct from their original source, and in return for these France and her allies exchange their products and manufactures, such as wines, brandy, soap, silks, liquors, essences, capers, olives, preserves, hats, millinery, &c. the manipulation and sale of which are a valuable source of prosperity to the respective countries where they are produced and shipped.

" It is a well known fact, that from the mouth of the Scheldt to the gulph of Venice, the whole line of coast is inhabited by people of the Roman Catholic persuasion, who, during one third part of the year, including lent, are religiously restricted to fish diet. Habit and superstition are with them a second nature, and perhaps, even the charm of a Corsican bull, will prove inefficient to wean such a variety of nations from the hereditary conscientious customs of their forefathers.

" These supplies have been regularly bro't them by the Danes from the Norway fisheries, and chiefly by the Americans from the banks of Newfoundland; this is precisely the

season when they come to market ; the blockade will prevent it."

All these privations, then, according to British ministerial logic, (and sound enough it is,) are to be felt by France from the British blockading orders. The same result will certainly accrue to the French empire, its allies and dependencies, from the embargo act. So far then, from its being a measure favorable to France, or having been produced by the influence of Bonaparte ; it is, if the measure can, in any point of view be considered partial, a perfect co-operation with the British government in its plan to deprive France and her friends of all colonial supplies, to exterminate their coasting trade ; and, in every respect, might, with much more plausibility, be attributed to *British* than to French influence.

The situation in which Portugal is at this moment, likewise furnishes a strong argument against the supposition of French control in the affair. At the instant of taking possession of that realm, Bonaparte would certainly wish to conciliate the inhabitants, as has constantly been his practice in all the countries he has conquered. By a total deprivation of the benefits of neutral trade, the Portuguese are reduced to a most deplorable state. Recent advices from Lisbon announce that they " are totally unprovided with bread stuffs and other provisions, whilst they are burdened with an increased population of 50,000 men, composed of their own naval and military forces collected in that city and its vicinity, and of the large Russian squadron lately arrived in the Tagus, and besides were in hourly expectation of the arrival of a French army of 40,000 men." Such a situation cannot dispose the people of that unhappy king-

dom to be very friendly to their conqueror, whose invasion at this time is likely to create a famine.

I know not how the news of the embargo will be received in England : But I do not see how the British can take offence at it, if they are at all consistent with themselves. I do, however, apprehend, from a certain concert of yelping which I have noticed on both sides of the Atlantic, that the British journalists will cry *French influence* as stoutly as some of our own. In doing so, they will only be joining chorus with one or two honorable members of our congress ; and thus we shall behold the curious spectacle of flaming legislative *American* patriots yelling a war-whoop in unison with English chroniclers, bottomed on one of the most despicable chimeras that was ever engendered by a sickly brain.

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**REMOVAL OF THE SEAT OF GOVERNMENT.**—As this is a subject very much talked of as well out of congress as in, I hope I shall not be deemed out of order in offering what I conceive to be the true construction of the constitution of the U. States on a point so extremely interesting. I give it with due deference for the opinions of other persons.

The 8th section of the first article of the constitution of the U. States, says the congress shall have power

" To exercise exclusive legislation " in all cases whatsoever, over such " district, (not exceeding ten miles " square,) as may, by cession of par- " ticular states, and the acceptance " of congress, become the seat of the " government of the U. States."

The active power which this clause gives to congress, is merely the authority of " exclusive legislation," after the district should be designated. With

regard to fixing the seat of government, congress have nothing more than the power of "acceptance."—When "by cession of particular states and the acceptance of congress," therefore, a particular spot "becomes the seat of the government," congress have fulfilled the constitution, and cannot unfulfill it without a constitutional amendment. The congress might have refused to accept, because the power of acceptance includes the right of rejection, but after having accepted, the thing is out of their reach. There is no ruing of bargains, I take it, where the constitution is a party.

"To exercise exclusive legislation" over the district, is another thing. Congress may do it; or may let it alone; for that is one of the positive powers vested in them, and parallel with other powers they are allowed to exercise. They may legislate or permit the citizens to legislate; and with respect to its government may alter, and amend, and repeal; just as they may change the law on any other subject within their control. But the exercise of legislation and the power of removal are two distinct things: The first is expressly delegated to them: On the second there is not a single phrase: The constitution allowed them to accept; and when they had done that they had done all that they could do: They could not afterwards either fix or unfix.

I acknowledge the ingenuity of Mr. Van Dyke (of Delaware) who attempted to infer the power of unfixing the seat of government by another part of the constitution (sec. 5, art. 1) which says, that "Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place

"than that in which the two houses shall be sitting." The construction of the gentleman from Delaware was, that as it is provided that neither house could adjourn without the consent of both houses, to any *other place*, of course, when both houses assented they could adjourn to another place; and, consequently, if by a concurrent vote they could adjourn to *another place*, they could remove in a similar way the seat of government. Let me examine this clause.

"Neither house, during the session of congress," &c. This phrase explains the whole passage. The congress being in session, must act together. "Neither house;" that is, neither one nor the other, can separate itself and go to "any other place" in another part of the city "than that in which the two houses shall be sitting." It relates altogether to the harmony of proceeding between the two constituent branches of the congress, and to nothing else. The word "adjourn" is very different from the word *removal*.

The same gentleman drew, also, from the acts of congress, (as will be seen by the debate in this day's paper) an argument in favor of the power of removal: The second act, however, cannot be regarded in any other light than a *modification* of the first; and was perfectly correct *under the authority to accept*. While the scite of the city was under consideration, before the district became fixed by public buildings, the removal of offices, and the sessions of congress, the thing was within their control. But once settled, nothing but an amendment to the constitution can unsettle it.

**CONGRESS.**—I had been so much occupied in the preliminary arrangements relative to the establishment

of the Weekly Register, for the first four numbers, that I could not attend to the legislative proceedings in the house of representatives with sufficient strictness to justify any publication of them. On Monday last, however, I commenced my regular attendance in the Hall, and shall succinctly mark, day by day, the progress made in the public business.

*Monday, February 8, 1808.*—Mr. Burwell, (of Virg.) this day brought forward the following resolution:

*Resolved*, That the committee on the military and naval establishments be instructed to enquire into the expediency of authorising the president of the U. S. to procure as speedily as possible a stand of arms, to be deposited in safe and suitable places for the service of the U. S.

It was ordered to lie on the table, and be printed for the use of the house.

Mr. G. W. Campbell (of Tenes- see) from the committee of ways and means, reported a bill for the purpose of carrying into effect the treaties lately concluded between the United States and certain tribes of Indians. It was moved and carried to a second reading, that it should be printed, and referred to a committee of the whole house on Thursday the 11th inst.

The unfinished business of Saturday being under consideration, (relative to the removal of the seat of government) Mr. Alston (of N. Carolina) moved that it be postponed indefinitely.

Mr. Lemuel Sawyer (of N. Carolina) entered into a recapitulation of the objections of those who were opposed to the removal, and argued in refutation of them. He acknowledged that he had been treated with great civility by the inhabitants of the city of Georgetown; and confessed, that

if he had consulted his own personal feelings, he should certainly vote for retaining the seat of government where it was; but that the public interests were paramount with him to all other considerations: That with regard to the danger of Congress being overawed by the populace of Philadelphia, he had never heard of any such attempt; on the contrary,

during the great agitation which prevailed when the British treaty was discussed, the people of that city con-

ducted themselves with the greatest decorum. Their patriotism, he conceived, a sufficient security for their good behavior, and it was ungenerous to attempt thus to stigmatise them.

With respect to Congress having been put in jeopardy at one time, it argued nothing in favor of Washington

City, for in the latter place there was not force enough to protect them.—

The truth was, the legislative body must command voluntary respect; it could never rely upon procuring it by coercion. He referred to the objections to a removal on the score of health: His information enabled him to say that there were fewer deaths in Philadelphia than in other cities of the same size; and a member of the house had stated that there had been more deaths among the gentlemen of

congress during the sessions in this city than in the whole time of its continuance in the place to which it was contemplated to remove it. The atmosphere of Washington he deemed unhealthy; particularly that which

gentlemen resided in the representative chamber. He conceived it to be the real cause of the slowness of his own recovery from a serious malady. Alluding to Mr. Crowningshield (aged) that he had been indisposed from the rupture of a blood vessel) to whom he paid the tribute of the highest applause,

he declared that if his illness should have been occasioned, as he conceived it was, by the great exertion required in speaking in the house, and death should follow, it would be sufficient cause to destroy the city with all its superb buildings, even were it as splendid as Babylon, and subject it to the operation of the ploughshare.—He spoke of the dearness of provisions. Provisions were one third cheaper in Philadelphia than here. A turkey that was sold in Washington for \$1 50 cts. could be got at the former place for 75 cents. The country round this place was not so cultivated as in the neighborhood of Philadelphia. Hack-hire, he complained, was a scandalous extortion—it was an exorbitant tax levied from the pockets of members. You could not move in a hack, without paying half a dollar, for which many an honest laborer would be glad to work half a day. It was much cheaper in other places; and a removal would save to members \$170 per day. It was fashionable, he observed, to think that a member ought not to retain any part of his six dollars per diem: But he, for one, was willing to incur the imputation which a contrary way of thinking might produce. He agreed, gentlemen ought to pay for what they got—and not to live by sponging or stealing—He only objected to the quantum. The extortion was the same as if taken out of their pockets at the muzzle of the pistol. After a trial of eight years the city was found to labor under an incurable disorder. The plan of the city was said to have been fixed by Gen. Washington; but that only went to prove that he understood marshalling an army better than marshalling houses. He had no wish to derogate from the general's great talents in all points where he truly ex-

celled. It had been said that the public buildings might be concentrated: And if so, he observed; if you will agree to abandon this magnificent structure, why may you not as well consent to accompany us to Philadelphia! To propose a concentration, was to admit that the labor and expense were lost: We have gained nothing if we have to begin anew!

[At this period of the debate, a message was received from the senate by Mr. Otis, their secretary, who presented a bill making appropriations for the support of the navy for the year 1808, and one for erecting a light-house on Point Judith, in R. Island.]

Mr. Sawyer proceeded. He thanked gentlemen for the information relative to the expences that had been already incurred: He would add to their calculation \$1,600,000 more, with which may be counted the expences that will yet have to be incurred. Congress were at first willing to make the experiment. It had been tried, and gentlemen found themselves deceived. The child had been born, received a name, and doatingly fondled. It had the dugs of the country to suck; but instead of flourishing had dwindled to a mere spectre. It still stuck to the breasts of the mother. In pity to the child, for the sake of the mother, for God's sake, let the decree of fate no longer be opposed. He alluded to the charge of stubbornness; was willing it should attach where it was merited; and described the parallel attempted to be drawn between the question of removal and the legislative obligations to discharge the funded debt. He quoted the constitution to show there was no expressions in it to authorise the permanent fixture of a seat for the government. If there was no such phrase

in the constitution, congress had no right to exercise the power. He spoke of the alledged violation of contract in case of removal; averred that the government were under no obligation to remunerate those who might be supposed to suffer; that it might be done as matter of generosity, but could not be claimed as a right. He declared that it would be removed at some time; that those who opposed it now knew it; and that their intention was to keep it from going to Philadelphia, that it may hereafter be removed the more easily to some other place. This was the general scope of the gentleman's argument; he dwelt on some minor points, which went to fill up his discourse without adding to the weight of his reasoning.

Mr. Tallmadge (from Connecticut) begged gentlemen to consider the course the business had taken. He said there were but two points for consideration—1st. Constitutional right. 2d. The expediency of the measure. He referred to the 8th section of the first article of the constitution, and contended that the power given to congress to exercise jurisdiction over any place as a seat of government was in common with other powers granted and enumerated in the same section; and that any law passed under that power was equally subject to repeal with an act made on any other subject. He conceived the right to remove clear and decisive. As to the expediency of the measure there were strong grounds against it. In the first place it was a favorite with the illustrious Washington whose opinions he was inclined highly to respect. But then it was at the latter part of that great man's life, and he might have been too fond of his foster child. Nor

was he to blame for all the evil. He had no doubt desired a permanency, but could have had no idea of the subsequent dilapidation of treasury. He alluded to the great sacrifice of money the government had experienced in the erection of public buildings, &c. that the state of Maryland had loaned money to the commissioners for sale of lots, &c. and had received a large douceur or whatever else it might be called, for advancing the cash, and government had sustained the loss. [Mr. Montgomery (from Maryland) corrected the gentleman, demonstrating that the U. S. had only become security for the loan; and that altho' the money had been repaid to Maryland, the general government had still a lien upon the lots for the amount.] Mr. Tallmadge said the gentleman's statement did not affect his argument. Whatever loss accrued, the government was always saddled with it; and that there was a perpetual call for money either to build up or keep up what was built. He would not dwell on the topic of health; every gentleman could judge of that for himself: But the navy yard being here was his great objection. He entered minutely into the difficulties of navigation, scarcity of workmen, expence of pilotage, &c. attending the deposit of vessels of war here. He declared that he would never vote for a removal, unless every kind of justice was done to those who might be really injured by it. But after eight years experiment, a diminution rather than an increase of houses, the exhibition of ruins not unlike those of Palmyra, the fatality which seemed to attend it, and the impossibility of making it a city unless men of property could be induced to come here or the treasury were lavished on it,

he could not but feel the propriety of removal. The gentleman wound up by disclaiming party feelings on the occasion, and expressing his liberal disposition in general on the subject.

Mr. Alston now stated that he had made his motion to postpone indefinitely merely to get rid of the subject altogether. He now withdrew it—he had no objection to meeting the question at once.

On motion that the house then consider the original resolution, it was determined in the affirmative. Ayes 60. Nays 58.

One or two motions, in order to gain time, were made, without avail, and the question was called for.

Mr. Gardener (of New-York) moved to refer it to a committee of the whole.

Some very excellent observations were then made by Messrs. Nicholas and Burwell, (both of Virginia.) The former particularly exposed the frivolity of the argument for removal that was bottomed on personal convenience, and emphatically inquired whether public faith was to be sported with for their individual accommodation? Mr. Burwell replied to Mr. Tallmadge's reasoning against first act: He very pertinently remarked that the existence of the signation to be permanent! He nayal deposit at the city of Washington was by no means connected with the permanency of the government here: That if it could be shewn that it was injurious to the nation it at any time at liberty to change or almighty at any time be removed. With respect to the dilapidation of public treasure, he observed that all the arrangements under which money had ly prevailed that Washington city been expended by the government on this city were made either during the administration of Gen. Washington, or that which immediately succeeded here from that consideration; and the

him. He adverted to the topic of health, observing that it was clear the present was not a question as to the most healthy place for congress to hold its sessions, for if that were the case, there were many places, such as Fredericktown, Hagerstown, or Lancaster, much more healthy than Philadelphia.

Mr. Vandyke (from Delaware) in a very ingenious speech attempted to obviate the constitutional objection. He pointed to that part of the constitution which says, "Neither house, during the session of congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting." (Art. 1. s 5.) This, he contended, clearly gave the right to remove at any time, both houses consenting: Hence he inferred that it could not

be the intention of the constitution that a seat of government should be erected from which it would be impossible to remove. He ridiculed the notion of permanency, and cited two acts, (of congress, 1790 and 1791) whether public faith was to be sported with for their individual accommodation? Mr. Vandyke, the first act declared the original provision of the primitive act, decidedly avowed the opinion that they were thence concluded, that it was manifestly contrary to the interest of congress, by altering the provisions of the primitive act, decidedly here: That if it could be shewn that it was injurious to the nation it at any time at liberty to change or almighty at any time be removed. With respect to the seat of government. He then dwelt on the point of expediency. Admitted the idea had general prevalence that Washington city was intended as the permanent residence of government, and that many persons had been induced to settle here from that consideration; and the

public offices and congress were the great support of this place: But the general good would, in his mind, always overbalance considerations of private interest. He alluded to the embargo, as an instance of individual concerns giving way to the general benefit. But he would not vote for a removal on light suggestions. Gentlemen who had made statements were very liable to be mistaken, from the want of sufficient data, and their loose method of calculation. He had hoped that time would have been given for a thorough investigation: If that were not done, and the question on the resolution taken at present, he should vote against it. If there was any information behind; if it were decided on a partial view of the subject, however, the public mind would not be satisfied, and the citizens of Washington would find no protection for the future. He put no stress upon the arguments deduced from personal inconveniences. Gentlemen came to congress with their own consent; and could leave it whenever they pleased. He had heard with regret attempts made to distinguish between the relative merits of different classes of citizens in connection with this subject: For his own part, the merchants were a class of people whom he very highly respected, and he believed they would not lose on a comparison with any other body of citizens. Whatever difference may have prevailed heretofore, he conceived that it would at this time be acknowledged that commerce is the handmaid, if not the sister, of agriculture. Mr. Vandyke's speech was delivered in a very agreeable style: His language plain and intelligible, and his manner very gentlemanly.

*Tuesday, February 9, 1808.—The unfinished business of yesterday (re-*

lative to the removal of the seat of government) being before the house, it was suggested that it be postponed for the present, as the house was very thinly attended. The ayes and nays were called for by Mr. Stedman (of Massachusetts) on the immediate consideration of the subject, when there were 35 voted in the affirmative and 51 in the negative. So it was determined not to consider it.

Mr. Newton (of Virginia) from the committee of commerce and manufactures, reported a bill for extending the credit on revenue bonds in certain cases, which was ordered to be read a first and second time, to be printed, and made the order of the day for Friday, the 12th instant.

Mr. Marmaduke Williams, (of N. Carolina) moved for the order of the day on the bill providing for the compensation of the marshals of the districts of New-Jersey and North-Carolina. The object of the bill is to remunerate those officers for their trouble and expences in the discharge of their duties, the fees of office being inadequate to that purpose. After considerable discussion, respecting the propriety of making appropriations in that way, it was agreed to fill the blank for the marshal of N. Carolina with \$400, and of N. Jersey with \$200.

A message was received from the president by his secretary Mr. Coles, notifying the house that he had approved and signed several bills, and communicating the following information:

*To the senate and house of representatives of the United States.*

I communicate to congress for their information, a letter from the person acting in the absence of our consul at Naples, giving reason to believe, on the affidavit of a captain Sheffield, of the American schooner Mary Ann,

that the dey of Algiers has commenced war against the United States: for this no just cause has been given on our part, within my knowledge. We may daily expect more authentic and particular information on the subject from Mr. Lear, who was residing as our consul at Algiers.

TH: JEFFERSON.

February 9, 1808.

*Marseilles, November 21, 1807.*

SIR,

I had the honor of addressing you on the 5th last August and 14th ultimo. This, under cover of Wm. Lee, esq. our consul at Bordeaux, is to remit you here inclosed a copy of a letter, I just received from our consul at Naples, dated the 9th instant, begging your reference to its unexpected contents.

I have already advised the American masters and citizens of the United States in my district, and am sending copies of the same to the minister plenipotentiary of the U. States at Paris, and several consuls, in order they may take proper steps for the safety of our merchant vessels and seamen.

In haste, I have the honor to be,

With great respect,

Sir,

Your most ob't humble serv't,  
(Signed)

STEPHEN CATHALAN, jun.  
JAMES MADISON, Esq. Secretary of State United States, }  
Washington.

[COPY.]

*Naples, November 9, 1807.*

SIR,

I have the honor to inform you that from the report of captain Ichabod Sheffield, of the schooner Mary Ann of New York, arrived on the 4th instant in this port, it appears that

an unexpected war has taken place between the regency of Algiers and the United States: he has declared in this consulate, upon oath, that on the 26th ult. he fell in, within the straits, with an Algerine frigate, of 44 guns, by which he was made a prize of, and which, without hardly any examination, took three men out of his said schooner, and ordered her into Algiers, under the charge of nine Turks, including a boy; he was in their possession till the 29th, when being near the Barbary shore, he determined himself to endeavor to retake his vessel, in which he had the good fortune to succeed, having thrown four of the Turks overboard, secured four of the others by surprise, whom he embarked in a boat, and kept the boy, who is now on board. He after that shaped his course for Italy and arrived safe in our mole, on the 4th aforesaid. Captain S. has further declared, that the brig Violet of Boston, loaded with colonial produce for Leghorn, was also taken within sight of him by the said frigate, and that he had also heard they had captured an American ship and schooner a few days before. I mention in haste these circumstances to you, in order that you may make them known to what Americans are, or may arrive in your port, and take such steps as you may deem most prudent for their safety.

I am, very respectfully,

Your most obedient servant,

In the absence and by the authorization of Frederick Doger, Esq. consul United States of America.

(Signed)

J. B. DUCOSTER.  
STEPHEN CATHALAN, Esq. Commissioner and navy agent for U. S. at Marseilles.

Mr. Quincey moved that the preceding message be referred to a select committee, which was agreed to, and a committee appointed consisting of Messrs. Quincey, Findley, Nicholas, Taylor, Troup, Johnson, and Mumford. It was also ordered to be printed.

The house then resolved itself into a committee of the whole (Mr. Pitkin in the chair) on the bill supplementary to an act prohibiting the importation of certain goods, wares and merchandize: after considerable discussion the committee rose, reported the bill with amendments, which with others afterwards made, were agreed to by the house—Ayes 65, nays 16.

This bill, after excepting certain articles from the operation of the non-importation law, allows all vessels that cleared out from the ports of the U. States previous to the 14th Dec. to be exempt from the effect of its provisions.

An adjournment was then moved and carried.

*Wednesday, Feb. 10, 1808.*—This day the bill for the extinguishment of debts due by the U. States was taken into consideration in committee of the whole.

Mr. Taylor (of S. Carolina,) moved to strike out the first section; which introduced a long and animated debate on the justice and policy of providing for all claims against the U. S. for services rendered during the revolutionary war.

Mr. Milnor opened the discussion by a general view of the subject. He described the acts of limitation, by which claimants were barred, not to have been intended as an exclusion; but merely as a means for ascertaining the amount due from the United States, by inducing persons to come forward at an early period. He represented in handsome terms

the merits of those who had served the country during the war with G. Britain. Strongly insisted on the equity of payment, and the policy of the measure, inasmuch as it would beget a confidence in government, and induce men to step forward more promptly hereafter. He held the acts of limitation unconstitutional, because the debts were contracted before they were passed, and congress had no power to enact a law which operated retrospectively. Honesty, he conceived, was always the best policy; as well in a government as in private men. No lapse of time, he said, could alter the principle of right on which the claims were founded. The whole amount liquidated at the treasury, he represented, was only about \$292,000. And for this sum, said he, will you incur the disgrace of not satisfying claims so strongly founded in justice?

Mr. Taylor (of S. Carolina) supported his motion for striking out the section, on the grounds that if the United States provided for one class of claimants they ought to provide for others, which would be impossible from the great amount. If you pay one, pay all. The people of the southern states had suffered severely: the British had carried off negroes to a very great amount in value, which Jay's treaty had given up. The old soldiers, he observed, had sold out their claims for two shillings and six-pence in the pound; and what was the description of persons who held them? If he was rightly informed the King of Great Britain himself was a purchaser.

There were various other speakers. Mr. Alston said many claims had been paid twice, and the door ought not to be opened to fraud. Mr. Rowan thought it was a point

that admitted of no reasoning. The claims ought to be paid; the nation was rich enough; and if it was not, he would be willing to borrow money to discharge them. Mr. Sloan said it would open a door to fraud and villainy: He had thought very favorably of these claimants at one time; but he had examined, he had searched—and he was convinced the acts of limitation ought not to be opened: One gentleman (a member of congress) had told him, that a certain officer, who forwarded to congress a whole armful of vouchers for claims of this kind, had offered one third for the recovery of the whole; the member had honorably refused. Such were the evils to be apprehended. He would vote against any bill like the one then under consideration. All these gentlemen, and several others, spoke very much at large on the subject. Mr. Macon observed, that the first acts of limitation were passed by the old congress, who were pretty good judges in the case. He was opposed to the bill. The discussion turned altogether on the justice of the claims and the propriety of settling them, on the one side; and the fear of fraud and the impossibility of paying all the sufferers during the war, on the other. Mr. Cutts was in the chair.

After an ample discussion, the committee rose, reported progress, and had leave to sit again; when the house adjourned.

At the opening of the house this day, Mr. Dawson from the committee on so much of the president's message of the 17th Oct. last, as relates to military and naval establishments, presented the following letter from the secretary of the navy on the subject, which was ordered to lie on the table.

*Navy Department, 27th Jan. 1808.*  
SIR,

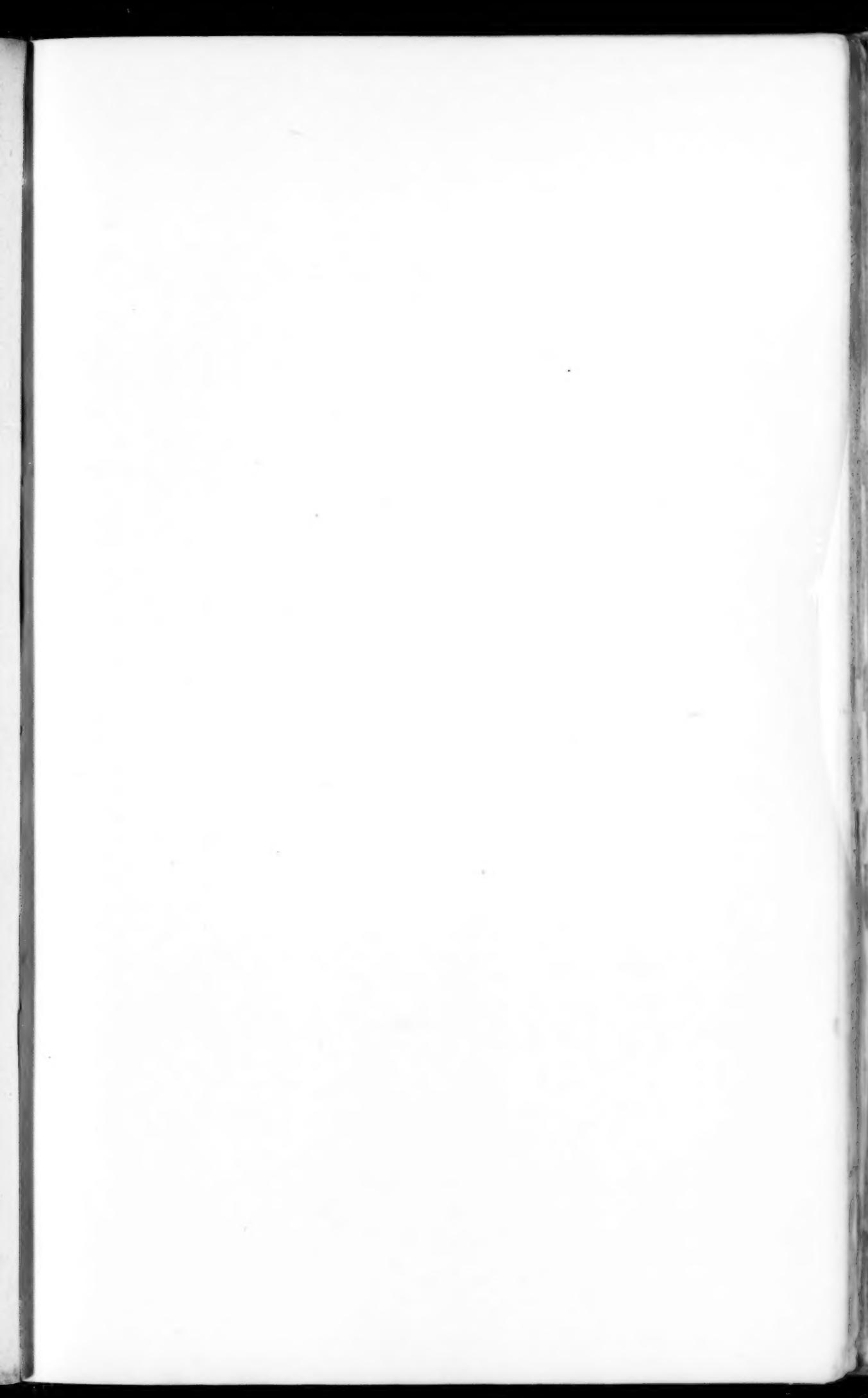
Your letter of yesterday, in relation to the number of seamen at present wanted by government for the service of the U. S. has been referred to the president; and I am charged by him to inform you, that he does not wish to be empowered to employ more seamen than the number at present authorised by law, viz. 1425, of which 925 were authorised by the act of congress of 21st April 1806, and 500 by the act of 3d March 1807.

I have the honor to be, respectfully,  
Sir,

Your obedient servant,  
(Signed) ROB'T SMITH.  
Hon. Mr. Dawson, Congress.

*Thursday, Feb. 11, 1808.*—Mr. Newton this day introduced a bill supplementary to the embargo laws, calculated to make their provisions more general and effectual. It was read a first and second time, and ordered to be printed. The house, for the remainder of the day, was engaged on the bill for extinguishing debts due by the U. States. The same grounds, for and against, were taken as in the preceding debate.

*Friday, Feb. 12, 1808.*—This day Mr. Bacon (of Mass.) introduced a resolution, founded on a petition which he had just presented, to permit Joseph Story, agent for the N. England Mississippi Land Company, (*Yazoo!*) to be heard at the bar of the house in behalf of the claims of said company. The discussion which the resolution excited was very animated. The Georgia delegation reprobated the introduction of a Yazoo attorney in strong and impressive terms. The resolution was negatived—77 to 28. After making appropriations for carrying into effect certain Indian treaties, the house adjourned till Monday.



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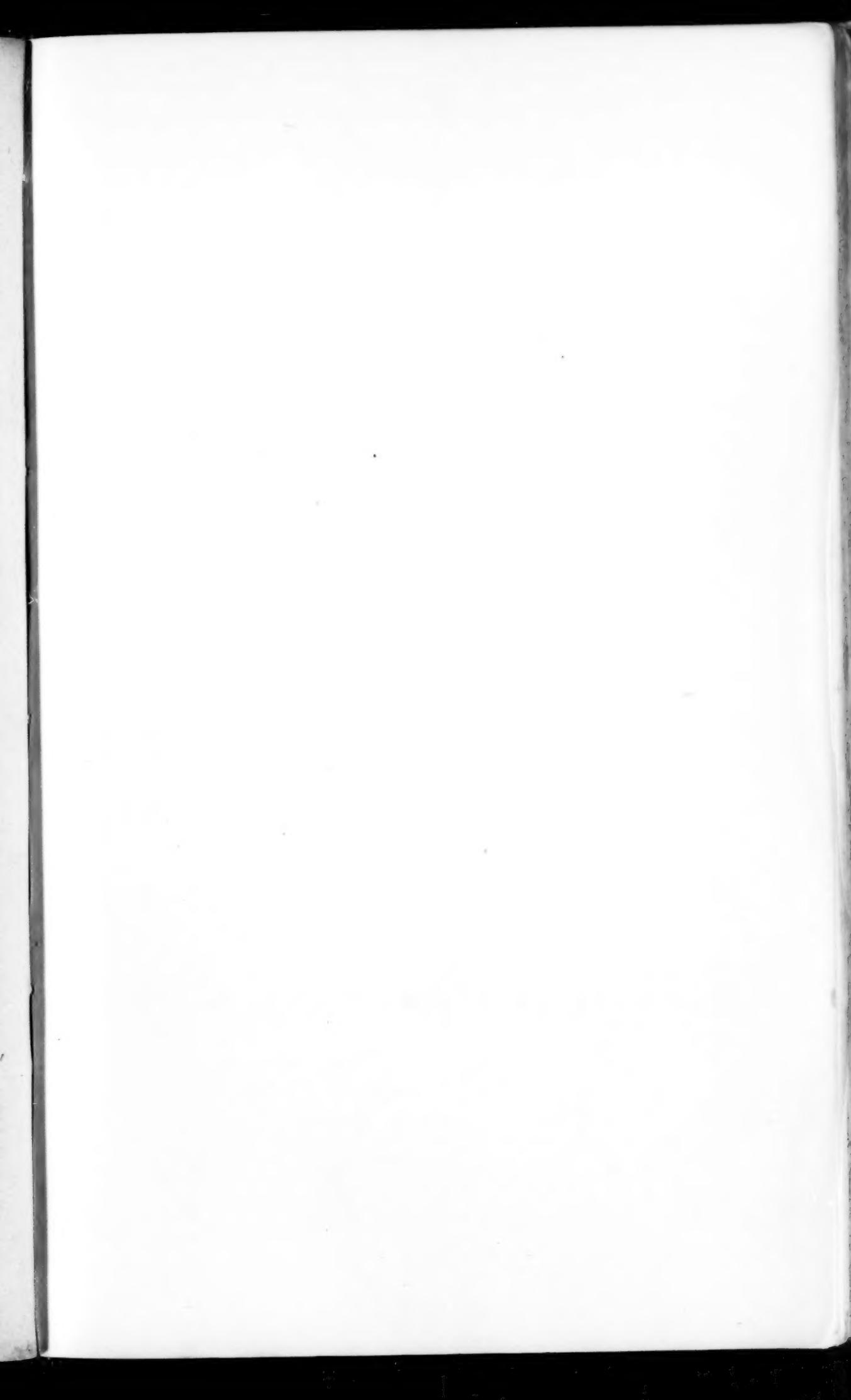
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ported in the exercise of illegitimate authority by cannon and the bayonet!

But it never was intended that a president of the U. States should be particularly either a soldier or a sailor. If he understands both naval and military tactics theoretically it is all that is necessary. Whoever will read over carefully the 2nd and 3d sections of the 2nd article of the constitution, will find that the performance of the various duties prescribed to the president is quite as much as any man is equal to, without undertaking the personal command of the army. He has to consult with the officers of the principal departments; to make treaties, in concurrence with the senate; to appoint ambassadors, consuls, judges, and other officers; to communicate with congress when in session, which will generally be the case in time of war; to receive ambassadors and other public ministers. Will any reasonable man pretend to say, that all this can be done in camp, at a remote point of the Union? Or would gentlemen wish to see a president of the U. States receiving and appointing ambassadors, convening congress and recommending measures to them, at the head of a large body of troops? Do they not fear that, like Cromwell, he might march into the Capitol, and order the delegates of the people to "*Seek the Lord elsewhere?*" How inconsistent are those who are blinded by prejudice, or are the victims of a selfish policy! They declare they are friends of freedom; and in the same breath they tell you that the principal merit of a republican ruler is his knowledge of war.

No! may we never have a great military personage at the head of the government. We shall not always find a Washington, in the exhilarating hour of victory. If we have men

of abilities in the departments of war and the navy, and a capable general at the head of the army, that will be enough. Recollect that all our officers are *commissioned by the president*; and reflect on the *danger* of having him personally present with the men of his own appointment, and a disciplined soldiery, ripe for ruin, at his control! Woe to the constitution, in such an awful hour.

While I am on this topic, I will correct an error into which the editor of a New York paper\* has very needlessly run. He declares that "the republican members of the legislature of Virginia, now in session at Richmond, are in a state of political *distraction*." And adds, "when information arrived at Richmond of the Washington nomination of Mr. Madison, the friends of this gentleman in the Virginia legislature called a meeting by advertisement to *echo the nomination*," &c. "in which advertisement the friends of Mr. Monroe were in terms excluded from the meeting." Had the writer of these assertions been a petty party scribbler, I should have taken no notice of them: But when I know the gentleman to be intelligent and reflecting, I must believe it is *something more than accident* which induced him to term that "*distraction*," which gives to Mr. Madison 120 votes, and to Mr. Monroe only 57. I had always understood "*distraction*" to mean a state of things completely unsettled, where every one is in an uproar: And I will submit the question to any man of sense, whether nearly three votes to one do not exhibit a tolerably tranquil and determined state of mind? I believe the point is pretty well settled in Virgi-

\* See *American Citizen*, Feb. 5.

nia. The alledged "echo" is still more unfortunate: for the meeting at Richmond took place on the 21st of January, and the convention at Washington not until the 23d! If the former could be an "echo" of the latter, old father Time would have been in a very awkward predicament. The charge of excluding the friends of Mr. Monroe, is altogether futile. The friends of Mr. Madison were alone invited to the meeting, in order to prevent "distraction;" for the purpose of ascertaining, without commotion or noise, the amount of their numbers. This is a fact almost self-evident, and it will not be seriously disputed.

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THE HON. JOHN ROWAN AND FRENCH INFLUENCE.—I have already exposed with seriousness, and ridiculed with laughter, the contemptible charge made against administration on the topic of French Influence. I had almost determined to say no more on the subject, convinced that no sensible man believed it, and that the credulity of dunces was an incurable evil. But a certain extract of a letter has reached me in print, that draws me back to it once more with a strong spirit of indignation. The honorable John Rowan, of Kentucky—Yes Sir, the honorable John Rowan; a member of the House of Representatives of the U. States, has descended from the proper dignity of his station, and become the accuser of administration in the newspapers.

When a delegate in congress so far departs from that decorum which, as a member of one branch of the government he owes to another branch, and voluntarily enters a scribbler of accusatory declamation in the public gazettes, he must expect to be dealt with

as other scribblers are. I will not, however, take advantage of the right which his indiscretion conveys; and instead of considering him as the honorable John Rowan, paragraphist in chief for a newspaper, I will view him as the honorable John Rowan, representative in Congress. The following extract of a letter is copied from the "Western World," a paper of which John Wood, of curious and mysterious memory, was once the editor:

*Extract of a letter from the Hon. John Rowan to the Editor, dated*

Washington City, Dec. 23, 1807.

DEAR SIR,

"That the instructions of our minister at London were considered too narrow and restricted to be met by the cabinet of England; that negotiations, of course, terminated ineffectually at that place; and that a minister extraordinary was appointed and dispatched to recommence negotiation on the subject of our grievances at this place—I suppose you have heard. That minister has not yet arrived, although he left England before Mr. Monroe, who has arrived at this place. Thus stood things, when the president on Friday last, by a confidential message, informed this house that France had enforced and was persisting to enforce the decree of Nov. 21st, 1806, and advised an embargo. The house went immediately into conclave, and continued so until yesterday, when they passed a law imposing an embargo. The passage of this law gave rise to much eloquent and animated debate, and considerable diversity of sentiment. The vote was 44 to 82. In the minority was your humble servant. The minority were not less impatient than the majority of British aggressions; but they are unwilling that Napoleon should dictate to them. He has determined that we shall not be neutral.

*He is not yet, thank God, emperor of America. Besides, as the immediate effect of the embargo is to be felt by Britain, they feared that the possible adjustment between England and this country might be thereby defeated: and they wished that whatever measures events might make it necessary to take against England might be American, and not Gallic or Napoleontic, in vindication of the rights and honor of America, and not in promotion of the power and ambition of the French emperor."*

Such is the extract. The commentary will be short; for I speak on the subject with regret, and do not mean to "travel out of the record."

We are told that the instructions of our ministers in England were "narrow and restricted," and that this was the cause of negotiations having "terminated ineffectually." But that the British government, still inclined to peace, "dispatched a minister extraordinary to recommence negotiation on the subject of our grievances at this place." In these expressions we behold the finesse of a lawyer, anxious to make a favorable impression previous to the introduction of a leading argument. The American government is represented as contracted in its policy; and that of G. Britain liberal and noble minded.

"Thus stood things," continues the writer, "when the president on Friday last, by a confidential message, informed this house that France had enforced and was persisting to enforce the decree of Nov. 21st, 1806 —and advised an embargo." The conjunction "and" copulates the rigid execution of the French decree with the president's advice, and the embargo is represented as the offspring. The fact is otherwise; and in the face of the nation I accuse the

honorable John Rowan of a misrepresentation of the truth. It is known to himself; it is known to the whole body of congress; it is known to all the republic, that the president's message recommending an embargo was accompanied as well by the British proclamation relative to neutral commerce and seamen as by the information that France intended to enforce her decree. The presidential communication proves the assertion. "The communications now made, (it says) shewing the great and increasing dangers with which our vessels, our seamen, and merchandize, are threatened on the high seas and elsewhere, from the belligerent powers of Europe, and it being of the greatest importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of congress." How can any man mistake this language? The "communications," the "belligerent powers"—all in the plural. And how would "our vessels, our seamen, and merchandize," be in "danger" "on the high seas," from France, when Great Britain commands the ocean? But this reasoning, conclusive as it is, I forego; and appeal at once to the journal of the house of representatives.

After this exposition it would be useless to dwell on the frivolity of the charge of French influence, deduced from such perverted facts. I cannot, however, pass so lightly over the insinuation made against the majority of the house. I beg the reader to mark the expressions. "The minority were not less impatient than the majority, of British aggressions; but they (the minority,) were unwilling that Napoleon should dictate to them." The word "them" is marked by *italic* letters in the printed

copy from which I quote ; and the inference is plain, that if the *minority*, who voted against the embargo, " were unwilling that Napoleon should dictate to *them*," the *majority*, who voted for the act, *were willing to be dictated to* by the French emperor. I cannot conceive a greater insult to men whom I believe, and the people at large believe, to be influenced by motives as pure and patriotic as those of any arrogant pretender whatsoever to exclusive merit.

The tender feelings for " the *possible* adjustment between England and this country," I shall pass by without particular remark. The man who is capable of misrepresentation is capable of hypocrisy. But I call upon the honorable John Rowan to stand forth, and defend the contents of his letter. He owes it to himself, he owes it to his constituents, whom he has attempted to abuse by his erroneous statement, to produce the evidence on which he founds his charge of the prevalence of French influence. If he has the *proofs* I will say he has acquitted himself manfully. If he has not, let him throw himself on the compassion of his fellow-citizens and solicit forgiveness from the insulted majesty of a generous people.

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**EMBARGO**—(continued from page 64.)—Pursuing this subject from my last number, I proceed to quote the reasoning of the writer in the London Morning Post to whom I there alluded : He says—

" It has been asserted that by enforcing a general blockade, we shall benefit the French manufactures to the detriment of our own, in necessitating them to provide every thing for themselves ; but the casuists here forget that manufactures cannot be put in motion without raw materials !

—France it is true may be supplied with silk from Italy, and with wool from Spain, by inland carriage, but that is all ; her soil produces none of the manifold necessaries that are requisite in the manipulation of these, and other articles of the first necessity, they are all imported to her by sea and she can and does obtain them only with our leave and forbearance.

" She cannot get iron, flax, hemp, tallow, &c. from Russia ; nor can she furnish the north of Europe from the coast of the Mediterranean with her wines and brandies by land carriage.

" Ten thousand tons of oil are annually brought to Marseilles from the coasts of Calabria, Sicily and Barbary, for the use of the extensive soap manufactories of that place, who supply not only the interior of France and great part of Europe but also her transatlantic colonies.

" Sulphur and pot ashes are imported from Sicily and the coast of Spain.

" The Levant furnishes abundance of cotton, sheep and goats, wool, copper, nitre, safflower, gums, rice, wax, &c.—Trieste, and other parts of the Adriatic provide steel, lead, quicksilver, linens, hemp, glass ware, &c.

" The coast of Barbary yields wheat, wool, oil, bees wax, &c. and France exports the woollen manufactures of Languedoc, &c. to the Levant.

" This coasting trade within the Mediterranean, in the exchange of useful and indispensable commodities has hitherto been carried on to an unlimited extent, and without molestation, by the imperial, the Ragusan and the Ottoman flags."

" Of still greater importance, how-

ever, to France and her allies, is their extensive and flourishing commerce with the United S. of America, and through that channel with their own colonies ; a commerce not only equivalent to all their wants, but being subjected to charges considerably under those attending the British trade, maintains them in a state of active reciprocal intercourse and prosperity. It is this conviction alone that has induced Bonaparte to proclaim and enforce with confidence, his measures of exclusion with regard to Great Britain ; for whilst the ports of France and her allies are open to neutrals experience has demonstrated to him, that they do not want our assistance. This hypothesis is fully corroborated by the rapid and prodigious extension of the American commerce since the commencement of the present war, and (according to the public exposition of their own legislature) by the commercial prosperity of France itself, by no means an empty paradox, as is generally supposed, but a fact well deserving the serious attention of our ministers. Privileges from which the British individual trader is excluded, are enjoyed by the Americans in a lucrative and uncontrolled intercourse with China, and all the East India settlements. Through the Americans, the isles of France and Bourbon, and the French West India colonies, are abundantly supplied with food, cloathing, implements of agriculture, &c. who, in return, send their produce, systematically masked and unmolested, for the consumption of the mother country. Thus France foregoes none of her commercial advantages by the war, except that of being her own carrier ; but even this disappointment is fully compensated to her in a financial point of view, by the exorbitant

rate of duties she exacts upon all importations in foreign bottoms, the produce of which forms a very conspicuous item in the present revenue of the state.

" The ports of Amsterdam, Rotterdam, Antwerp, Nantz, Bordeaux, Bayonne, Cadiz, Malaga, Alicant, Barcelona, Cette, Marseilles, Genoa, Leghorn, Naples, Ancona, Venice and Trieste, swarm with American shipping, which supply in abundance the various essential commodities of teas, coffee, sugar, pepper, spices, tobacco, rum, flour, rice, hides, gums, indigo, cochineal, and dye stuffs of all descriptions, mahogany, nankeens, piece goods, handkerchiefs, &c. many of them direct from their original source, and in return for these France and her allies exchange their products and manufactures, such as wines, brandy, soap, silks, liquors, essences, capers, olives, preserves, hats, millinery, &c. the manipulation and sale of which are a valuable source of prosperity to the respective countries where they are produced and shipped.

" It is a well known fact, that from the mouth of the Scheldt to the gulph of Venice, the whole line of coast is inhabited by people of the Roman Catholic persuasion, who, during one third part of the year, including Lent, are religiously restricted to fish diet. Habit and superstition are with them a second nature, and perhaps, even the charm of a Corsican bull, will prove inefficient to wean such a variety of nations from the hereditary conscientious customs of their forefathers.

" These supplies have been regularly bro't them by the Danes from the Norway fisheries, and chiefly by the Americans from the banks of Newfoundland ; this is precisely the

season when they come to market; the blockade will prevent it."

All these privations, then, according to British ministerial logic, (and sound enough it is,) are to be felt by France from the British blockading orders. The same result will certainly accrue to the French empire, its allies and dependencies, from the embargo act. So far then, from its being a measure favorable to France, or having been produced by the influence of Bonaparte; it is, if the measure can, in any point of view be considered partial, a perfect co-operation with the British government in its plan to deprive France and her friends of all colonial supplies, to exterminate their coasting trade; and, in every respect, might, with much more plausibility, be attributed to *British* than to French influence.

The situation in which Portugal is at this moment, likewise furnishes a strong argument against the supposition of French control in the affair. At the instant of taking possession of that realm, Bonaparte would certainly wish to conciliate the inhabitants, as has constantly been his practice in all the countries he has conquered. By a total deprivation of the benefits of neutral trade, the Portuguese are reduced to a most deplorable state. Recent advices from Lisbon announce that they "are totally unprovided with bread stuffs and other provisions, whilst they are burdened with an increased population of 50,000 men, composed of their own naval and military forces collected in that city and its vicinity, and of the large Russian squadron lately arrived in the Tagus, and besides were in hourly expectation of the arrival of a French army of 40,000 men." Such a situation cannot dispose the people of that unhappy king-

dom to be very friendly to their conqueror, whose invasion at this time is likely to create a famine.

I know not how the news of the embargo will be received in England: But I do not see how the British can take offence at it, if they are at all consistent with themselves. I do, however, apprehend, from a certain concert of yelping which I have noticed on both sides of the Atlantic, that the British journalists will cry *French influence* as stoutly as some of our own. In doing so, they will only be joining chorus with one or two honorable members of our congress; and thus we shall behold the curious spectacle of flaming legislative *American* patriots yelling a war-whoop in unison with English chroniclers, bottomed on one of the most despicable chimeras that was ever engendered by a sickly brain.

**REMOVAL OF THE SEAT OF GOVERNMENT.**—As this is a subject very much talked of as well out of congress as in, I hope I shall not be deemed out of order in offering what I conceive to be the true construction of the constitution of the U. States on a point so extremely interesting. I give it with due deference for the opinions of other persons.

The 8th section of the first article of the constitution of the U. States, says the congress shall have power

"To exercise exclusive legislation in all cases whatsoever, over such district, (not exceeding ten miles square,) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the U. States."

The active power which this clause gives to congress, is merely the authority of "exclusive legislation," after the district should be designated. With

regard to fixing the seat of government, congress have nothing more than the power of "acceptance."—When "by cession of particular states and the acceptance of congress," therefore, a particular spot "becomes the seat of the government," congress have fulfilled the constitution, and cannot unsatisfy it without a constitutional amendment. The congress might have refused to accept, because the power of acceptance includes the right of rejection, but after having accepted, the thing is out of their reach. There is no ruing of bargains, I take it, where the constitution is a party.

"To exercise exclusive legislation" over the district, is another thing. Congress may do it; or may let it alone; for that is one of the positive powers vested in them, and parallel with other powers they are allowed to exercise. They may legislate or permit the citizens to legislate; and with respect to its government may alter, and amend, and repeal; just as they may change the law on any other subject within their control. But the exercise of legislation and the power of removal are two distinct things: The first is expressly delegated to them: On the second there is not a single phrase: The constitution allowed them to accept; and when they had done that they had done all that they could do: They could not afterwards either fix or unfix.

I acknowledge the ingenuity of Mr. Van Dyke (of Delaware) who attempted to infer the power of unfixing the seat of government by another part of the constitution (sec. 5, art. 1) which says, that "Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place

"than that in which the two houses shall be sitting." The construction of the gentleman from Delaware was, that as it is provided that neither house could adjourn without the consent of both houses, to any *other place*, of course, when both houses assented they could adjourn to another place; and, consequently, if by a concurrent vote they could adjourn to *another place*, they could remove in a similar way the seat of government. Let me examine this clause.

"Neither house, *during the session of congress*," &c. This phrase explains the whole passage. The congress being in session, must act together. "Neither house;" that is, neither one nor the other, can separate itself and go to "any other place" in another part of the city "than that in which the two houses shall be sitting." It relates altogether to the harmony of proceeding between the two constituent branches of the congress, and to nothing else. The word "adjourn" is very different from the word *removal*.

The same gentleman drew, also, from the acts of congress, (as will be seen by the debate in this day's paper) an argument in favor of the power of removal. The second act, however, cannot be regarded in any other light than a *modification* of the first; and was perfectly correct *under the authority to accept*. While the site of the city was under consideration, before the district became fixed by public buildings, the removal of offices, and the sessions of congress, the thing was within their control. But once settled, nothing but an amendment to the constitution can unsettle it.

**CONGRESS.**—I had been so much occupied in the preliminary arrangements relative to the establishment

of the Weekly Register, for the first if he had consulted his own personal four numbers, that I could not attend feelings, he should certainly vote for to the legislative proceedings in the retaining the seat of government house of representatives with sufficient strictness to justify any publication of them. On Monday last, however, I commenced my regular attention in the Hall, and shall succinctly mark, day by day, the progress made in the public business.

where it was ; but that the public interests were paramount with him to all other considerations : That with regard to the danger of Congress being overawed by the populace of Philadelphia, he had never heard of any such attempt; on the contrary,

*Monday, February 8, 1808.—Mr. Burwell, (of Virg.)* this day brought forward the following resolution :

*Resolved*, That the committee on the military and naval establishments be instructed to enquire into the expediency of authorising the president of the U. S. to procure as speedily as possible a stand of arms, to be deposited in safe and suitable places for the service of the U. S.

With respect to Congress having been put in jeopardy at one time, it argued nothing in favor of Washington

It was ordered to lie on the table, and be printed for the use of the house.

City, for in the latter place there was not force enough to protect them.—

*Mr. G. W. Campbell (of Tennessee)* from the committee of ways and means, reported a bill for the purpose of carrying into effect the treaties lately concluded between the United States and certain tribes of Indians. It was moved and carried to a second reading, that it should be printed, and referred to a committee of the whole house on Thursday the 11th inst.

The truth was, the legislative body must command voluntary respect ; it could never rely upon procuring it by coercion.

He referred to the objections to a removal on the score of health: His information enabled him

to say that there were fewer deaths in Philadelphia than in other cities of less population ; and a member of the house had stated that there had been more deaths among the gentlemen of

congress during the sessions in this city than in the whole time of its continuance in the place to which it was contemplated to remove it. The atmosphere of Washington he deemed unhealthy ; particularly that which

The unfinished business of Saturday being under consideration, (relative to the removal of the seat of government) *Mr. Alston (of N. Carolina)* moved that it be postponed indefinitely.

gentlemen resided in the representative chamber. He conceived it to be the real cause of the slowness of his own recovery from a serious malady.

*Mr. Lemuel Sawyer (of N. Carolina)* entered into a recapitulation of the objections of those who were opposed to the removal, and argued in refutation of them. He acknowledged that he had been treated with great civility by the inhabitants of the city and Georgetown ; and confessed, that

Alluding to Mr. Crowningshield (at present indisposed from the rupture of a blood vessel) to whom he paid the tribute of the highest applause,

he declared that if his illness should have been occasioned, as he conceived it was, by the great exertion required in speaking in the house, and death should follow, it would be sufficient cause to destroy the city with all its superb buildings, even were it as splendid as Babylon, and subject it to the operation of the ploughshare. —He spoke of the dearness of provisions. Provisions were one third cheaper in Philadelphia than here. A turkey that was sold in Washington for \$1 50 cts. could be got at the former place for 75 cents. The country round this place was not so cultivated as in the neighborhood of Philadelphia. Hack-hire, he complained, was a scandalous extortion—it was an exorbitant tax levied from the pockets of members. You could not move in a hack, without paying half a dollar, for which many an honest laborer would be glad to work half a day. It was much cheaper in other places; and a removal would save to members \$170 per day. It was fashionable, he observed, to think that a member ought not to retain any part of his six dollars per diem: But he, for one, was willing to incur the imputation which a contrary way of thinking might produce. He agreed, gentlemen ought to pay for what they got—and not to live by sponging or stealing—He only objected to the *quantum*. The extortion was the same as if taken out of their pockets at the muzzle of the pistol. After a trial of eight years the city was found to labor under an incurable disorder. The plan of the city was said to have been fixed by Gen. Washington; but that only went to prove that he understood marshalling an army better than marshalling houses. He had no wish to derogate from the general's great talents in all points where he truly ex-

celled. It had been said that the public buildings might be concentrated: And if so, he observed; if you will agree to abandon this magnificent structure, why may you not as well consent to accompany us to Philadelphia! To propose a concentration, was to admit that the labor and expense were lost; We have gained nothing if we have to begin anew!

[At this period of the debate, a message was received from the senate by Mr. Otis, their secretary, who presented a bill making appropriations for the support of the navy for the year 1808, and one for erecting a light-house on Point Judith, in R. Island.]

Mr. Sawyer proceeded. He thanked gentlemen for the information relative to the expences that had been already incurred: He would add to their calculation \$1,600,000 more, with which may be counted the expences that will yet have to be incurred. Congress were at first willing to make the experiment. It had been tried, and gentlemen found themselves deceived. The child had been born, received a name, and doatingly fondled. It had the dugs of the country to suck; but instead of flourishing had dwindled to a mere spectre. It still stuck to the breasts of the mother. In pity to the child, for the sake of the mother, for God's sake, let the decree of fate no longer be opposed. He alluded to the charge of stubbornness; was willing it should attach where it was merited; and described the parallel attempted to be drawn between the question of removal and the legislative obligations to discharge the funded debt. He quoted the constitution to show there was no expressions in it to authorise the permanent fixture of a seat for the government. If there was no such phrase

in the constitution, congress had no right to exercise the power. He spoke of the alledged violation of contract in case of removal; averred that the government were under no obligation to remunerate those who might be supposed to suffer; that it might be done as matter of generosity, but could not be claimed as a right. He declared that it would be removed at some time; that those who opposed it now knew it; and that their intention was to keep it from going to Philadelphia, that it may hereafter be removed the more easily to some other place. This was the general scope of the gentleman's argument; he dwelt on some minor points, which went to fill up his discourse without adding to the weight of his reasoning.

Mr. Tallmadge (from Connecticut) begged gentlemen to consider the course the business had taken. He said there were but two points for consideration—1st. Constitutional right. 2d. The expediency of the measure. He referred to the 8th section of the first article of the constitution, and contended that the power given to congress to exercise jurisdiction over any place as a seat of government was in common with other powers granted and enumerated in the same section; and that any law passed under that power was equally subject to repeal with an act made on any other subject. He conceived the right to remove clear and decisive. As to the expediency of the measure there were strong grounds against it. In the first place it was a favorite with the illustrious Washington whose opinions he was inclined highly to respect. But then it was at the latter part of that great man's life, and he might have been too fond of his foster child. Nor

was he to blame for all the evil. He had no doubt desired a permanency, but could have had no idea of the subsequent dilapidation of treasury. He alluded to the great sacrifice of money the government had experienced in the erection of public buildings, &c. that the state of Maryland had loaned money to the commissioners for sale of lots, &c. and had received a large douceur or whatever else it might be called, for advancing the cash, and government had sustained the loss. [Mr. Montgomery (from Maryland) corrected the gentleman, demonstrating that the U. S. had only become security for the loan; and that altho' the money had been repaid to Maryland, the general government had still a lien upon the lots for the amount.] Mr. Tallmadge said the gentleman's statement did not affect his argument. Whatever loss accrued, the government was always saddled with it; and that there was a perpetual call for money either to build up or keep up what was built. He would not dwell on the topic of health; every gentleman could judge of that for himself; but the navy yard being here was his great objection. He entered minutely into the difficulties of navigation, scarcity of workmen, expence of pilotage, &c. attending the deposit of vessels of war here. He declared that he would never vote for a removal, unless every kind of justice was done to those who might be really injured by it. But after eight years experiment, a diminution rather than an increase of houses, the exhibition of ruins not unlike those of Palmyra, the fatality which seemed to attend it, and the impossibility of making it a city unless men of property could be induced to come here or the treasury were lavished on it,

he could not but feel the propriety of removal. The gentleman wound up by disclaiming party feelings on the occasion, and expressing his liberal disposition in general on the subject.

Mr. Alston now stated that he had made his motion to postpone indefinitely merely to get rid of the subject altogether. He now withdrew it—he had no objection to meeting the question at once.

On motion that the house then consider the original resolution, it was determined in the affirmative. Ayes 60. Nays 58.

One or two motions, in order to gain time, were made, without avail, and the question was called for.

Mr. Gardenier (of New-York) moved to refer it to a committee of the whole.

Some very excellent observations were then made by Messrs. Nicholas and Burwell, (both of Virginia.) The former particularly exposed the frivolity of the argument for removal. He ridiculed that was bottomed on personal convenience, and emphatically inquired whether public faith was to be sported with for their individual accommodation? Mr. Burwell replied to Mr. Tallmadge's reasoning against first act: Yet, said Mr. Vandyke, the navy-yard: He very pertinently remarked that the existence of the signation to be permanent! He naval deposit at the city of Washington was by no means connected with the permanency of the government here: That if it could be shewn that it was injurious to the nation it was at any time at liberty to change or almost at any time be removed. Whether the seat of government. He respect to the dilapidation of public treasure, he observed that all the arrangements under which money had been expended by the government on this city were made either during the administration of Gen. Washington, or that which immediately succeeded here from that consideration; and the

him. He adverted to the topic of health, observing that it was clear the present was not a question as to the most healthy place for congress to hold its sessions, for if that were the case, there were many places, such as Fredericktown, Hagerstown, or Lancaster, much more healthy than Philadelphia.

Mr. Vandyke (from Delaware) in a very ingenious speech attempted to obviate the constitutional objection. He pointed to that part of the constitution which says, "Neither house, during the session of congress, shall, without the consent of the other, ad-

"journ for more than three days, nor to any other place than that in which "the two houses shall be sitting."

(Art. 1. s 5.) This, he contended, clearly gave the right to remove at any time, both houses consenting:

Hence he inferred that it could not be the intention of the constitution that a seat of government should be erected from which it would be impossible to remove. He ridiculed the notion of permanency, and cited two acts, (of congress, 1790 and 1791) one confining the scite of the city within certain bounds, and the other

modation? Mr. Burwell replied to going to repeal particular parts of the Mr. Tallmadge's reasoning against first act: Yet, said Mr. Vandyke, the navy-yard: He very pertinently the first act declared the original de-

clared that the existence of the signation to be permanent! He thence concluded, that it was mani- fest congress, by altering the provi-

the permanency of the government sions of the primitive act, decidedly here: That if it could be shewn that they were it was injurious to the nation it at any time at liberty to change or al-

most at any time be removed. Whether the seat of government. He respect to the dilapidation of public treasure, he observed that all the ar- rangements under which money had been expended by the government on this city were made either during the administration of Gen. Washington, persons had been induced to settle or that which immediately succeeded here from that consideration; and the

public offices and congress were the great support of this place : But the general good would, in his mind, always overbalance considerations of private interest. He alluded to the embargo, as an instance of individual concerns giving way to the general benefit. But he would not vote for a removal on light suggestions. Gentlemen who had made statements were very liable to be mistaken, from the want of sufficient data, and their loose method of calculation. He had hoped that time would have been given for a thorough investigation : If that were not done, and the question on the resolution taken at present, he should vote against it. If there was any information behind ; if it were decided on a partial view of the subject, however, the public mind would not be satisfied, and the citizens of Washington would find no protection for the future. He put no stress upon the arguments deduced from personal inconveniences. Gentlemen came to congress with their own consent; and could leave it whenever they pleased. He had heard with regret attempts made to distinguish between the relative merits of different classes of citizens in connection with this subject : For his own part, the merchants were a class of people whom he very highly respected, and he believed they would not lose on a comparison with any other body of citizens. Whatever difference may have prevailed heretofore, he conceived that it would at this time be acknowledged that commerce is the handmaid, if not the sister, of agriculture. Mr. Vandyke's speech was delivered in a very agreeable style : His language plain and intelligible, and his manner very gentlemanly.

*Tuesday, February 9, 1808.—The unfinished business of yesterday (re-*

lative to the removal of the seat of government) being before the house, it was suggested that it be postponed for the present, as the house was very thinly attended. The ayes and nays were called for by Mr. Stedman (of Massachusetts) on the immediate consideration of the subject, when there were 35 voted in the affirmative and 51 in the negative. So it was determined not to consider it.

Mr. Newton (of Virginia) from the committee of commerce and manufactures, reported a bill for extending the credit on revenue bonds in certain cases, which was ordered to be read a first and second time, to be printed, and made the order of the day for Friday, the 12th instant.

Mr. Marmaduke Williams, (of N. Carolina) moved for the order of the day on the bill providing for the compensation of the marshals of the districts of New-Jersey and North-Carolina. The object of the bill is to remunerate those officers for their trouble and expences in the discharge of their duties, the fees of office being inadequate to that purpose. After considerable discussion, respecting the propriety of making appropriations in that way, it was agreed to fill the blank for the marshal of N. Carolina with \$400, and of N. Jersey with \$200.

A message was received from the president by his secretary Mr. Coles, notifying the house that he had approved and signed several bills, and communicating the following information :

*To the senate and house of representatives of the United States.*

I communicate to congress for their information, a letter from the person acting in the absence of our consul at Naples, giving reason to believe, on the affidavit of a captain Sheffield, of the American schooner Mary Ann,

that the dey of Algiers has commenced war against the United States: for this no just cause has been given on our part, within my knowledge. We may daily expect more authentic and particular information on the subject from Mr. Lear, who was residing as our consul at Algiers.

TH: JEFFERSON.

February 9, 1803.

*Marseilles, November 21, 1807.*

SIR,

I had the honor of addressing you on the 5th last August and 14th ultimo. This, under cover of Wm. Lee, esq. our consul at Bordeaux, is to remit you here inclosed a copy of a letter, I just received from our consul at Naples, dated the 9th instant, begging your reference to its unexpected contents.

I have already advised the American masters and citizens of the United States in my district, and am sending copies of the same to the minister plenipotentiary of the U. States at Paris, and several consuls, in order they may take proper steps for the safety of our merchant vessels and seamen.

In haste, I have the honor to be,

With great respect,  
Sir,

Your most ob't humble serv't,  
(Signed)

STEPHEN CATHALAN, jun.  
JAMES MADISON, Esq. Secretary of State United States, }  
Washington. }

[COPY.]

*Naples, November 9, 1807.*

SIR,

I have the honor to inform you that from the report of captain Ichabod Sheffield, of the schooner Mary Ann of New York, arrived on the 4th instant in this port, it appears that

an unexpected war has taken place between the regency of Algiers and the United States: he has declared in this consulate, upon oath, that on the 26th ult. he fell in, within the straits, with an Algerine frigate, of 44 guns, by which he was made a prize of, and which, without hardly any examination, took three men out of his said schooner, and ordered her into Algiers, under the charge of nine Turks, including a boy; he was in their possession till the 29th, when being near the Barbary shore, he determined himself to endeavor to retake his vessel, in which he had the good fortune to succeed, having thrown four of the Turks overboard, secured four of the others by surprise, whom he embarked in a boat, and kept the boy, who is now on board. He after that shaped his course for Italy and arrived safe in our mole, on the 4th aforesaid. Captain S. has further declared, that the brig Violet of Boston, loaded with colonial produce for Leghorn, was also taken within sight of him by the said frigate, and that he had also heard they had captured an American ship and schooner a few days before. I mention in haste these circumstances to you, in order that you may make them known to what Americans are, or may arrive in your port, and take such steps as you may deem most prudent for their safety.

I am, very respectfully,

Your most obedient servant,

In the absence and by the authorization of Frederick Doger, Esq. consul United States of America.

(Signed)

J. B. DUCOSTER.  
STEPHEN CATHALAN, Esq. Commissioner and navy agent for }  
U. S. at Marseilles. }

Mr. Quincey moved that the preceding message be referred to a select committee, which was agreed to, and a committee appointed consisting of Messrs. Quincey, Findley, Nicholas, Taylor, Troup, Johnson, and Mumford. It was also ordered to be printed.

The house then resolved itself into a committee of the whole (Mr. Pitkin in the chair) on the bill supplementary to an act prohibiting the importation of certain goods, wares and merchandize: after considerable discussion the committee rose, reported the bill with amendments, which with others afterwards made, were agreed to by the house—Ayes 65, nays 16.

This bill, after excepting certain articles from the operation of the non-importation law, allows all vessels that cleared out from the ports of the U. States previous to the 14th Dec. to be exempt from the effect of its provisions.

An adjournment was then moved and carried.

*Wednesday, Feb. 10, 1808.*—This day the bill for the extinguishment of debts due by the U. States was taken into consideration in committee of the whole.

Mr Taylor (of S. Carolina,) moved to strike out the first section; which introduced a long and animated debate on the justice and policy of providing for all claims against the U. S. for services rendered during the revolutionary war.

Mr. Milnor opened the discussion by a general view of the subject. He described the acts of limitation, by which claimants were barred, not to have been intended as an exclusion; but merely as a means for ascertaining the amount due from the United States, by inducing persons to come forward at an early period. He represented in handsome terms

the merits of those who had served the country during the war with G. Britain. Strongly insisted on the equity of payment, and the policy of the measure, inasmuch as it would beget a confidence in government, and induce men to step forward more promptly hereafter. He held the acts of limitation unconstitutional, because the debts were contracted before they were passed, and congress had no power to enact a law which operated retrospectively. Honesty, he conceived, was always the best policy; as well in a government as in private men. No lapse of time, he said, could alter the principle of right on which the claims were founded. The whole amount liquidated at the treasury, he represented, was only about \$292,000. And for this sum, said he, will you incur the disgrace of not satisfying claims so strongly founded in justice?

Mr. Taylor (of S. Carolina) supported his motion for striking out the section, on the grounds that if the United States provided for one class of claimants they ought to provide for others, which would be impossible from the great amount. If you pay one, pay all. The people of the southern states had suffered severely: the British had carried off negroes to a very great amount in value, which Jay's treaty had given up. The old soldiers, he observed, had sold out their claims for two shillings and sixpence in the pound; and what was the description of persons who held them? If he was rightly informed the King of Great Britain himself was a purchaser.

There were various other speakers. Mr. Alston said many claims had been paid twice, and the door ought not to be opened to fraud. Mr. Rowan thought it was a point

that admitted of no reasoning. The claims ought to be paid; the nation was rich enough; and if it was not, he would be willing to borrow money to discharge them. Mr. Sloan said it would open a door to fraud and villainy: He had thought very favorably of these claimants at one time; but he had examined, he had searched—and he was convinced the acts of limitation ought not to be opened: One gentleman (a member of congress) had told him, that a certain officer, who forwarded to congress a whole armful of vouchers for claims of this kind, had offered one third for the recovery of the whole; the member had honorably refused. Such were the evils to be apprehended. He would vote against any bill like the one then under consideration. All these gentlemen, and several others, spoke very much at large on the subject. Mr. Macon observed, that the first acts of limitation were passed by the old congress, who were pretty good judges in the case. He was opposed to the bill. The discussion turned altogether on the justice of the claims and the propriety of settling them, on the one side; and the fear of fraud and the impossibility of paying all the sufferers during the war, on the other. Mr. Cutts was in the chair.

After an ample discussion, the committee rose, reported progress, and had leave to sit again; when the house adjourned.

At the opening of the house this day, Mr. Dawson from the committee on so much of the president's message of the 17th Oct. last, as relates to military and naval establishments, presented the following letter from the secretary of the navy on the subject, which was ordered to lie on the table.

Navy Department, 27th Jan. 1808.  
Sir,

Your letter of yesterday, in relation to the number of seamen at present wanted by government for the service of the U. S. has been referred to the president; and I am charged by him to inform you, that he does not wish to be empowered to employ more seamen than the number at present authorised by law, viz. 1425, of which 925 were authorised by the act of congress of 21st April 1806, and 500 by the act of 3d March 1807.

I have the honor to be, respectfully,  
Sir,

Your obedient servant,  
(Signed) ROB'T SMITH.  
Hon. Mr. Dawson, Congress.

Thursday, Feb. 11, 1808.—Mr. Newton this day introduced a bill supplementary to the embargo laws, calculated to make their provisions more general and effectual. It was read a first and second time, and ordered to be printed. The house, for the remainder of the day, was engaged on the bill for extinguishing debts due by the U. States. The same grounds, for and against, were taken as in the preceding debate.

Friday, Feb. 12, 1808.—This day Mr. Bacon (of Mass.) introduced a resolution, founded on a petition which he had just presented, to permit Joseph Story, agent for the N. England Mississippi Land Company, (*Yazoo!*) to be heard at the bar of the house in behalf of the claims of said company. The discussion which the resolution excited was very animated. The Georgia delegation reprobated the introduction of a Yazoo attorney in strong and impressive terms. The resolution was negatived—77 to 28. After making appropriations for carrying into effect certain Indian treaties, the house adjourned till Monday.